REMARKS

The pending Office Action addresses claims 1-30, rejecting claims 1-20 and 30 and allowing claims 21-29.

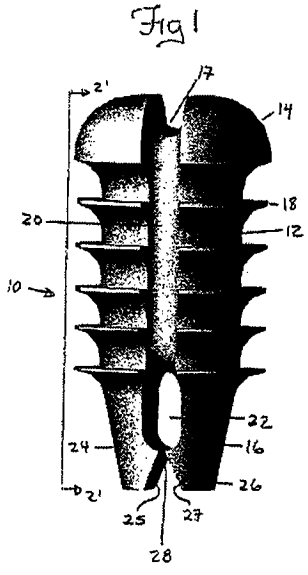
Amendments to the Claims

Applicant amends independent claims 1, 12, and 30 to specify that the longitudinally extending bone-engaging surface feature extends substantially between proximal and distal ends of the anchor body. Support for this amendment can be found throughout the specification, for example, at paragraph [0016]. No new matter is added.

Rejections Pursuant to 35 U.S.C. §102(b)

U.S. Publication 2002/0161401 to Steiner

The Examiner rejects claims 1-8, 10, and 11 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Publication 2002/0161401 to Steiner ("Steiner"). Applicant respectfully disagrees.



Independent claim 1, as amended, recites a suture anchor system including a suture anchor having at least one longitudinally extending bone-engaging surface feature formed thereon *and extending substantially between proximal and distal ends*. Steiner fails to disclose such a suture anchor. While the Examiner asserts that "Steiner discloses parallel surface features [0033] that extend in at least some degree longitudinally," he also notes that "the degree of extension is not positively claimed" in the application of the present invention. Applicants amend independent claim 1 to specify that the longitudinally extending surface features extend substantially between proximal and distal ends. While the threads (18) of Steiner may have a longitudinal *depth or thickness*, Figure 1 of Steiner (reproduced at left) illustrates that the threads do not extend substantially between proximal and distal ends. Accordingly, independent claim 1, as well as claims 2-11 which depend directly or indirectly therefrom, are not anticipated by Steiner.

U.S. Patent 5,957,924 to Tormala et al.

The Examiner rejects claims 1-8, 10-14, 16, 17, 19, and 20 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,957,924 to Tormala et al. ("Tormala"). Independent claims 1 and 12, as amended, recite a suture anchor having at least one longitudinally extending bone-engaging surface feature formed thereon and extending substantially between proximal and distal ends. Similar to Steiner, Tormala discloses a suture anchor having radially extending threads or barbs formed thereon. As explained above, while the threads (12b) of Tormala may have a longitudinal *depth or thickness*, the threads do not extend substantially between proximal and distal ends. Accordingly, independent claims 1 and 12, as well as claims 2-11 and 13-20 which depend directly or indirectly therefrom, are not anticipated by Tormala.

U.S. Patent 5,733,307 to Dinsdale

The Examiner rejects claims 1-8, 10-17, 19, 20, and 30 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,733,307 to Dinsdale. ("Dinsdale"). Independent claims 1, 12, and 30, as amended, recite a suture anchor having at least one discrete longitudinally extending bone-engaging surface feature formed thereon and extending substantially between proximal and distal ends. Like Steiner and Tormala, Dinsdale discloses a suture anchor having radially extending threads formed thereon. Accordingly, independent claims 1, 12, and 30, as well as claims 2-11 and 13-20 which depend directly or indirectly therefrom, are not anticipated by Dinsdale.

Rejections Pursuant to 35 U.S.C. §103(a)

The Examiner rejects claims 9 and 18 pursuant to 35 U.S.C. § 103(a) as being obvious over Steiner or Tormala. The Examiner asserts that although Steiner and Tormala "fail to teach wherein the at least one longitudinally extending bone-engaging surface feature comprises at least one discrete pyramid-shaped surface feature," it would have been obvious to one of ordinary skill in the art to "make the longitudinally extending bone-engaging surface feature of Steiner or Tormala et al. a discrete pyramid-shape because the shape of the bone-engaging surface is a mere design choice and that any shape would perform equally well."

Claims 9 and 18 depend from independent claims 1 and 12, respectively. As explained above,

Steiner and Tormala both fail to disclose a suture anchor having longitudinally extending bone-engaging surface feature formed thereon and extending substantially between proximal and distal ends, as required by claims 1 and 12. Accordingly, independent claims 1 and 12, as well as claims 2-11 and 13-20 which depend directly or indirectly therefrom, are not obvious in view of Tormala and Steiner and therefore represent allowable subject matter.

Conclusion

In conclusion, Applicant submits that all pending claims are now in condition for allowance, and allowance thereof is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney for Applicant if such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

Date: October 4, 2006

Lisa Adams, Reg. No. 44,238
Attorney for Applicants

NUTTER, McCLENNEN & FISH, LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02110
Tel: (617) 439-2550
Fax: (617) 310-9550

1566870.1